

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

BRIAN DAVISON,

Plaintiff,

**V.**

Civil Action No.: 1:16-cv-932  
(JCC/IDD)

LOUDOUN COUNTY BOARD OF  
SUPERVISORS and PHYLLIS J.

**Defendants.**

### DECLARATION OF PHYLLIS J. RANDALL

COMES NOW PHYLLIS J. RANDALL WHO SWEARS AND AFFIRMS AS FOLLOWS:

1. I am over the age of eighteen (18) years and I am the Chairman of the Loudoun County Board of Supervisors.

2. The Loudoun County Government maintains an official Facebook page for which administrative control is maintained by County employees. I am aware that the Board of Supervisor could direct County staff to create a Board-sponsored Facebook page, which would then be maintained and controlled by County employees for the purpose of posting information on behalf of the Board of Supervisors, but the Board of Supervisors has chosen not to have such a Facebook page created by the County.

3. I, personally, created the Facebook page identified by Brian Davison in his First Amended Complaint, and I manage and control that page at <https://www.facebook.com/pg/chair-Phyllis-J-Randall:1726409590911855/about/?ref=pageintern> al. I have both a County issued cell phone and a personal cell phone. All postings to my

Facebook page are made from my personal device, my cell phone. I do not post information or communicate via my Facebook page by use of any County computers or devices.

4. This Facebook page is not owned or operated by County employees. When my term(s) as Chair of the Loudoun County Board of Supervisors ends and I leave office, I will continue to own and operate this Facebook page. This page will not be passed to my successor, who instead, may choose to create his or her own Facebook page as I did when I replaced the former Chair. I did not have to consult with or obtain the permission of anyone in the County or on the Board to create my own Facebook page at <https://www.facebook.com/pg/chair-Phyllis-J-Randall:1726409590911855/about/?ref=pageinternal>.

5. The only other person who has posted information to this Facebook page, on an infrequent basis, is my chief of staff, Jeanine Arnett. Ms. Arnett has posted photographs or information at my request and has done so only when I have given her my cell phone to do so. These instances have occurred when we were together at events, usually on weekends or evenings.

6. Submitted with this declaration, and marked as Exhibit 12, is a true, accurate and authentic copy of the County-created information about me that is posted on-line and accessed through the County's official website. Also submitted and marked as Exhibit 23 is a true, accurate and authentic copy of the linked page, the County's official Facebook page, accessed when clicking on the Facebook link shown on Exhibit 12.

7. Members of the public who wish to communicate with me or send me information or comments may do so by office email, [Phyllis.Randall@loudoun.gov](mailto:Phyllis.Randall@loudoun.gov), for which a link is provided on the website (see Exhibit 12); by telephone at 703-777-0204 or Fax 703-777-0421 (see Exhibit 12); by mail, P.O. Box 7000, Mailstop #1, Leesburg, VA 20177-7000 (see Exhibit 12); by email to my staff, Jeanine Arnett at [Jeanine.Arnett@Loudoun.gov](mailto:Jeanine.Arnett@Loudoun.gov), Elizabeth Bennis at [Elizabeth.Bennis@loudoun.gov](mailto:Elizabeth.Bennis@loudoun.gov), Laura TeKrony at [Laura.TeKrony@loudoun.gov](mailto:Laura.TeKrony@loudoun.gov).

8. Submitted with this declaration and marked as Exhibit 13 is a true, accurate and authentic copy of County publicly posted information on how to contact the Board of Supervisors and board meetings at which citizens can appear and speak. Also submitted and marked as Exhibit 14 is a true, accurate and authentic copy of County publicly posted information about Board of Supervisors Meetings. This information is posted on the County's official website. The links to Facebook indicated on Exhibits 13 and 14 are to the County's Facebook page.

9. On February 3, 2016, I attended a joint Board of Supervisors and School Board Town Hall meeting. At that meeting, Mr. Davison stood up and made assertions that the School Board members were unethical and I was asked why I did not try to force the school board to adopt a code of ethics. That evening, I posted a few photos and a brief statement about my participation at that town hall. In response, Mr. Davison posted a tirade about the School Board, each member, their spouses, and their ability to be fair. I deleted the entire post and banned him that evening after seeing his post. I banned him because I was concerned about the effect his comments would have on others interested in the post. After thinking about it over night, I restored his ability to post sometime the following day, February 4, 2016. Although I cannot recall the exact time of day, I believe it was sometime during the morning. I am not able to

10. Submitted with this declaration, marked as Exhibit 19, is a true, accurate and authentic copy of a screenshot from my Facebook page dated April 20 through April 30, 2016 in which I responded to a post by Mr. Davison related to my banning him overnight from my Facebook page on February 3, 2016.

Phyllis J. Randall

Phyllis J. Randall

Date: April 3, 2017